

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I (we) hereby declare that:

My (our) residence, post office address and citizenship is (are) as stated below next to our name,

I (we) believe I am (we are) the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: HIGH ELECTRON MOBILITY DEVICES, the specification of which

☐ is attached hereto.

☒ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

☐ was described and claimed in PCT International Application No. **PCT/SK02/00018**  
filed on July 15, 2002 and as amended under PCT Article 19 on \_\_\_\_\_.

I (we) hereby state that I (we) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I (we) acknowledge the duty to disclose all information I (we) know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I (we) hereby claim foreign priority benefits under Title 35, United States Code, §119 or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed:

APPLICATION NO.	COUNTRY	FILING DATE	PRIORITY CLAIMED
_____	_____	_____	_____
_____	_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

U.S. SERIAL NO.	FILING DATE
<u>60/310,546</u>	<u>August 7, 2001</u>
_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below or §365(c) of any PCT International application designating the United States and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application of PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. SERIAL NO.	FILING DATE	STATUS
<u>PCT/SK02/00018</u>	<u>July 15, 2002</u>	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned
_____	_____	<input type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned
_____	_____	<input type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned
_____	_____	<input type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned

COMBINED DECLARATION AND POWER OF ATTORNEY -continued

I (we) hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ivan D. Zitkovsky, Reg. No. 37,482  
6 Freeman Circle,  
LEXINGTON, MA 02421-7713.

Address all telephone calls to Ivan D. Zitkovsky at telephone no. (781) 274-6692 and fax no. (781) 274-6696  
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Ivan D. Zitkovsky, Reg. No. 37,482  
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LEXINGTON, MA 02421-7713.

I (we) hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Jan Kuzmik

Inventor's Signature: *Jan Kuzmik*

Date: January 9, 2004

Residence Address: Belopotockeho 2, 811 05 Bratislava, Slovak Republic

Citizen of: Slovak Republic

Post Office Address: Belopotockeho 2, 811 05 Bratislava, Slovak Republic

Full Name of Inventor: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Citizen of: USA

Post Office Address: \_\_\_\_\_

**DECLARATION CLAIMING SMALL ENTITY STATUS  
(INDEPENDENT INVENTOR)**

Applicant or Patentee: **Jan Kuzmik**  
Serial or Patent No: <not yet assigned>  
Filed or Issued: <herewith>  
Priority: PCT/SK02/00018  
For: HIGH ELECTRON MOBILITY DEVICES

As a below named inventor (and individual), I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled HIGH ELECTRON MOBILITY DEVICES described in

- ☒ the specification filed herewith  
☐ application serial no.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME	Jan Kuzmik	Ivan D. Zitkovsky
ADDRESS	Belopotockeho 2 811 05 Bratislava Slovak Republic	6 Freeman Circle Lexington, MA 02421

☒ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Jan Kuzmik

Ivan D. Zitkovsky

NAME OF INVENTOR

*Jan Kuzmik*

SIGNATURE OF INVENTOR

*Ivan D. Zitkovsky*

SIGNATURE

*January 9, 2004*

DATE

*Feb. 2, 2004*

DATE